

[Read, and hand to your neighbour.]

22 28

THE BIBLE IN SCHOOLS.

REPORT TO THE BOARD OF EDUCATION.

To the Board of Education of the City of New York.

The Committee to whom was referred the report of the Trustees of Common Schools for the Fourth Ward, concerning certain books used in some of the schools in said ward, respectfully report :—

That whatever may have been the individual opinions of different members of this board as to what they considered the extraordinary character of that report, it cannot but be admitted that the subject presented by it is one of vast importance to this community, and the committee have therefore given it their most deliberate and careful examination.

Perhaps it would have been strictly a performance of their duty if your committee had simply reported that they had examined the books objected to by the said trustees, and stated the result of such examination. But it will probably be more satisfactory to this board and to the said trustees, that the committee should state more at large the views which have influenced them in reaching the conclusions at which they have arrived.

The report of the said trustees stated that they have "visited the schools in the said Fourth Ward, for the purpose of examining the books in said schools, in order to ascertain whether said books contain any thing of a sectarian character, contrary to the religious opinions entertained by any one desirous of sending children to said schools ; or contrary to the said act of the Legislature prohibiting the teaching, inculcating or practising any religious doctrine or tenet in any school participating in the public money.

It is somewhat remarkable that the said trustees professing to make a grave report on this important subject, so materially misquote the act of the Legislature, on which the objections referred to are founded.

That act does not prohibit the teaching, inculcating or practising religious doctrines or tenets in our schools—the prohibition is against religious *sectarian* doctrine—which phraseology conveys a very different meaning from that used by the said trustees, as we shall hereafter show.

The first complaint mentioned by the said trustees, it is stated, comes from the Jews. What number of that class of our fellow-citizens have joined in this complaint, is not stated ; but it will not escape the notice of this board, that although the Jews are scattered through the several wards of this city, complaints by that class of our population have reached us from no other than the Fourth Ward—and it is a well known fact, (which is highly creditable to the members of the Jewish persuasion,) that they are very little prone to interfere with the institutions of the country. It is said however, that they object to certain passages in a very popular book (almost universally used in our schools) called “American Popular Lessons,” and the parts objected to are the following :

The lesson entitled “Reward of Goodness.”

The lesson entitled “Son of God.”

The lesson entitled “Heaven.”

The lesson entitled “Scripture Lessons.”

The lesson entitled “Thou shalt love thy neighbour as thyself.”

The lesson entitled “The Bible.”

And the lesson entitled “The Virgins.”

It is also stated that they (the Jews) object to the last conversation in the book entitled “Conversations on common things.”

Also to the book entitled “Lessons for Schools, taken from the Holy Scriptures”—To the use of the New Testament generally, and to some parts of Murray’s Reader, which parts however are not specified.

Your committee have examined the several passages and lessons alluded to by the said trustees, and they are unable to discover any possible ground of objection even by the Jews, except what may arise from the fact that they are chiefly derived from the New Testament, and inculcate the general principles of Christianity. Indeed what other objection could be made to some of the most beautiful sentiments and allusions that can influence human conduct and interest the human heart ?

“*The Rewards of Goodness*”—alluding to the peace of mind it affords here and the hopes of happiness hereafter.

“The Son of God” came from Heaven, to save an erring world.

“Heaven” is a place of rest for the righteous.

Jesus Christ has shown that God will render to every man according to his deeds.

The duty of children to their parents, referring to the commandment, "Honour thy father and thy mother."

"Thou shalt love thy neighbour as thyself," illustrated by the beautiful parable of the good Samaritan.

"The duty of providing for the future," illustrated by the beautiful parable of the five foolish, and five wise virgins.

Such are the leading sentiments and ideas intended to be inculcated in the passages and lessons which, it is said, are complained of by the Jews. And the said trustees of the Fourth Ward sanction this complaint, and say that they do not see any good reason why the religious opinions of the Jews should not be regarded with the same favor as those of Christians"—and they therefore call on this board to exclude from our common schools all books which inculcate the principles of the Christian religion, or else to deprive such schools of all participation in the public money.

Your committee cannot but view this as a most extraordinary and untenable position on the part of the said trustees; and the principles assumed by them, if carried out, would justify the Mahometans, the Chinese or Pagans, on their coming among us, to object to our whole system of public instruction because it interfered with their monstrous, absurd and unintelligible dogmas and superstitions.

Even the Jews have not, and from the very nature of our systems, cannot have the same privileges as those who embrace the Christian religion. It must be borne in mind that this country was settled by Christians; they introduced the Christian religion into every State of the Union; their laws were formed under its influence and it was made obligatory upon all to contribute to its support; and in some of the States such laws still exist. By degrees however the laws of most of the States have been relaxed in this particular, and they have been so in ours. But still the Christian religion is in various ways incorporated and interwoven with our political system and recognized as the predominant religion of our State. We have indeed secured to all the full enjoyment of their religious belief and mode of worship; but in offering civil and religious liberty to the oppressed of other nations, it surely was not intended to give them the right of changing or interfering with our own religious institutions.

It is said the Jews ought not to be taxed for the support of institutions, the principles of which are at variance with their own. It is a sufficient answer, that these institutions were established before they came; they are such as the majority of the people deemed most effectual for their government and most conducive to their happiness. He voluntarily came where such institutions existed, and where the majority are still disposed to maintain them, and it would therefore be absurd and unreasonable that he should expect or ask that they should be changed in deference to the peculiar views of a sect whose numbers as compared with Christians in this country are so very limited. Judge Story in his commentaries upon

the constitution says, that "at the time of the adoption of the Amendment to the Constitution of the United States, prohibiting the passage of any law by Congress for the establishment of a religion, or prohibiting the free exercise thereof, the general, if not the universal sentiment in America, was that Christianity ought to receive encouragement from the state, so far as was not incompatible with the private rights of conscience and the freedom of religious worship; and that the real object of the amendment was not, to countenance Mahometanism or Judaism or Infidelity, by prostrating Christianity—but, merely, to exclude all rivalry among Christian sects."

And this great expounder of constitutional law further remarks, "that the right of a society to interfere in matters of religion will hardly be contested by any persons who believe that piety, religion and morality are intimately connected with the well-being of the state, and indispensable to the administration of civil justice." If then the Jews, on coming into a Christian country, find institutions at variance with, or opposed to their own peculiar views, your committee do not perceive that they have any just grounds of complaint, or that they can reasonably ask that such institutions should be changed for their convenience.

The Universalists, it is stated, object to several passages in the said book called "American Popular Lessons," some of which have been already mentioned as being objected to by the Jews—and to some others which inculcate the doctrine of a future judgment, and of future rewards and punishments; but your committee believe that this doctrine is not denied by the great body of Universalists—their difference from other Christian denominations on this point being merely as to the nature and duration of future punishments. But, however this may be, it is singularly unfortunate for the objectors that in this instance they have selected, as the ground of their objection, a principle which is expressly adopted by our laws, and without a belief in which neither they nor the children in our schools would be received as creditable or competent witnesses in our courts of justice,—a belief in the Supreme Being and in future punishment for a wilful departure from the truth being the only ground on which a man is admitted as a witness in any matter affecting the life, the liberty, or the property of his fellow-men, 2 R. S. 329. This law recognizes the principle of future punishments; it is a most salutary principle, and very generally admitted among civilized nations as the great bond of safety in the administration of civil justice; and so far from its being a just ground of objection to any book that inculcates that doctrine, your committee are of opinion that it ought, on every proper occasion, to be impressed upon the youthful mind.

The Catholics, it is stated, object to the use of the Protestant version of the Bible, and to the use of the "Lessons taken from the Holy Scriptures"—which latter book is also objected to by the Jews. This book consists merely of selections from the Bible, and has been very generally

considered, both in Europe and in this country, as a most judicious selection, and admirably adapted to the use of schools. There can be no other objection to that than to the Bible itself.—As to the objection to the Protestant version of the Bible, a portion of your committee did not deem that a proper subject for their deliberation, as this point has already been agitated and discussed in this board, and, as they supposed, disposed of by a resolution adopted on the 21st of February last, which has never been rescinded. Another portion of the committee, however, and perhaps a majority, are under the impression that it is incumbent on the committee to express their views on this point also, and they have accordingly done so in a subsequent part of this report.

But considering the nature of the objections preferred by the said trustees, and the manner in which they are presented to this board, your committee presume they will be doing no injustice to the said trustees, or to those they profess to represent, in supposing that the objections are, in fact, to the Bible itself. And this brings us directly to the consideration whether the Bible was intended by the Legislature to be excluded from our common schools, or whether, independent of any such intention, it is expedient thus to exclude it.

Your committee are decidedly of the opinion that the Legislature, in passing the act of 1842, did not intend to exclude the Holy Scriptures from our common schools nor to prohibit the inculcation of the great and fundamental doctrines of the Christian religion—or, in other words, that those doctrines are not “sectarian” within the meaning of that law.

If such had been the intention of the Legislature, the phraseology of the act would have been different, and the word “sectarian” would not have been used at all. The act would simply have prohibited the teaching or inculcation of all religious doctrines, which is the language erroneously imputed to the Legislature by the said trustees in their report—leaving out the word “sectarian” and thus extending the prohibition to all religious doctrines or tenets.

The meaning of the word “sectarian,” according to the most approved lexicographers, is one who departs from, or holds tenets different from the established or prevailing religion of a state or kingdom.

If then the Christian religion is in fact the prevailing religion of this state (as it will hereinafter be shown to be) the word “sectarian” in the act would apply only to those who do not adopt the principles of Christianity. But your committee are not disposed to view it in this limited sense, and are of the opinion that the word “sectarian,” as used in the act of 1842, was intended to be applied to the various religious denominations into which the people of this state are divided.

That the Legislature however did not intend to prohibit the inculcation of those great principles of Christianity on which the various denominations of Christians are united, is evident from the fact that the Christian religion is recognized by our laws as the prevailing religion of the state

—nor is there any thing in the Constitution of this State, or of the United States, inconsistent with this provision.

The Constitution of the United States merely declares that "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof," thus leaving the whole subject to the control of the states respectively.

The Constitution of this State (Art. 7, Sec.) merely provides for the free exercise and enjoyment of religious profession and worship, without discrimination or preference. "The object of which article was," says Chancellor Kent, "to guard against spiritual oppression and intolerance, and it is fully satisfied by a full and universal toleration without any of the tests, disabilities or discriminations incident to a religious establishment." 8 J. R. 296 and 297.

But it is worthy of remark, that even the Constitution recognizes an order of men set apart solely for the preaching, and inculcation of the great principles of Christianity, and has provided for their being confined exclusively to the great duties of their profession. Art. 2d, sec. 4. "Whereas the ministers of the gospel are by their profession dedicated to the service of God, and the cure of souls, and ought not to be diverted from the great duties of their functions, therefore no minister of the gospel or priest of any denomination whatever, shall at any time hereafter, under any pretence or description whatsoever, be eligible to, or capable of, holding any civil or military office or place within this state."

This clause in our state constitution, in the opinion of your committee, goes far toward recognizing the Christian religion as one of the great and paramount features in our civil institutions; but whatever difference of opinion may exist on this point, it would appear that there can be no such difference as to the fact that the Christian religion is recognized by our statutes and laws as in fact the predominant religion of the state. In the first place it must be observed that we have adopted the common law of England as it was in 1775, and no one conversant with that law will deny that Christianity was one of its component parts. 4 Black. Com. 60. And although the constitution and laws of this state have given the greatest possible latitude to the principle of religious toleration, they have in no respect limited or interfered with the great principle engrafted on the common law, that Christianity is part and parcel of the law of the land.

This point has been expressly adjudicated in the Supreme Court of this state, at a time when that great luminary of the jurisprudence of our state and country, Chancellor Kent, presided over its deliberations and decisions. I refer to the case of the people vs. Ruggles, which was an indictment for blasphemy against Jesus Christ; and that Court sustained the indictment upon the great principles of common law. 8 J. R. 294. And to ascertain how this matter was viewed by the framers of the present constitution of this state, your committee has looked into the debates in

the convention ; and they find that a clause was introduced into the draft of the new constitution, declaring that no particular religion should ever be declared or adjudged to be the law of the state. An eminent jurist, then a member of the convention, moved to strike out that clause, on the ground that we had adopted the Christian religion as the law of the state, and that in fact it was the religion of the state ; and after considerable discussion the clause was struck out by a vote of 74 to 41, thereby in effect declaring it as the opinion of this convention that the Christian religion was and is the law of this state.

And it is worthy of remark that in the debate on that question some of the ablest jurists and statesmen of which our state and country can boast, participated, and in the affirmative of the question will be found without reference to party distinctions, a large portion of the talent and weight of character, that existed in the convention. But if this question had been left doubtful in reference to the principles of the common law, and the provisions of the constitution, the statute law of the state has spoken in terms too strong to be resisted, and too clear and unequivocal to be misapprehended.

To establish the point that Christianity is recognized as in fact the prevailing religion of the state, it would seem to be sufficient to refer to the statutes enforcing the observance of the Lord's Day or Sunday ; a day instituted in commemoration of the resurrection of the Divine Author of that religion. In our state all the great and multiplied business of men is by law suspended on that day. All secular employment, public amusements, traveling, and even the issuing of legal process are prohibited. A solemn pause is enjoined in human pursuits, and all are thereby invited to unite in the acknowledgment of one Almighty Father, and to devote one day in seven to the Great Author of our being, and of our salvation. No matter what may be the peculiar views of any individual, whether he believe or not in a God, a Saviour, or a revelation ; be he Jew, Turk, or Infidel, yet in deference to the religious views of the majority of our population, he is compelled to set apart one seventh of his life in commemoration of that great and awful event on which the whole fabric of the Christian religion rests—the resurrection of Jesus Christ from the dead.

A more unequivocal avowal that the Christian religion is in fact the religion of this state, and to be regarded as such, could hardly be devised, short of a direct enactment for its establishment.

Another part of our laws, establishing the same point, is the statute concerning oaths. All oaths must be administered by laying the hands on, and kissing the Gospels, 2 R. S. 407.

And although the statutes makes an exception in favor of those who believe in some other than the Christian religion, (as the Jews,) and also those who prefer to swear by the uplifted hand, yet with these ex-

ceptions, swearing by the Gospels is the prescribed form, and in that way most of us were qualified on entering upon the duties we have assumed as members of this board.

The statute in relation to apprentices bound to service by the public authorities (whereby it is made incumbent on the master to supply a new Bible to the apprentice)—the statute providing for furnishing a Bible to convicts in our prisons—to children in the House of Refuge, to the tenants in the marine hospital, and the employment of chaplains to attend these public establishments—all these provisions show most unequivocally the importance attached by the Legislature to the distribution of the Bible, as the great source of moral instruction to the young, moral reform to the depraved, and religious consolation to the unfortunate and distressed.

Again—the Legislature from the earliest period of our history, with the exception of one session (which in this particular at least will enjoy no enviable fame) have invariably opened their daily sittings by invoking the influence of the Christian religion upon their deliberations and actions—and chaplains are regularly appointed to perform that solemn service, and are compensated therefor out of the public treasury.

In view of all these laws, so clearly evincing their recognition of the Christian religion, can it be for one moment contended that it was the intent of the Legislature to exclude the great fountain of that religion, (the Bible) from the schools created and fostered by the bounty of the State? While they have passed such severe laws for enforcing the observance of the Christian Sabbath, an institution so intimately connected with the promulgation of the Christian religion, will it be believed that they intended to exclude from their schools the only book by which a knowledge of that religion can be acquired? While they have passed laws which introduce the Gospel into our Legislative Halls, our Courts of Justice, our public offices and every other place where an oath is administered, did they intend to exclude those Gospels from the great nurseries of our future legislators, judges and magistrates? While they have wisely and benignly made provision for furnishing the Bible to the orphans under their care, to the miserable convicts in your prisons, to the deluded children in your House of Refuge, to the disabled soldier or sailor in your hospitals, did they cruelly intend to withhold it from their own children in the public schools? While they themselves in Legislative Assembly deemed it necessary or proper to invoke the holy influence of religion upon their actions, did they in passing the law under consideration, intend to exclude the influence of that religion from the schools of their bounty and their care? To impute such a design to the Legislature would not, in the opinion of your committee, be paying a decent respect to their knowledge of the laws and policy of the state, or to their desire to meet the wishes, or promote the best interests, of their constituents.—Assuming then that the Legislature did not by the act of 1842, or by any subsequent act, intend to prohibit the inculcation of the Christian

religion in our common schools, nor to exclude the Bible therefrom, but on the contrary intended to permit the use thereof in such schools, the question arises whether any, and what particular version of the Bible is meant: and this brings up the complaint stated to have been made by the Roman Catholics against what they call the Protestant version.

It will have been perceived that the Bible is mentioned in various statutes, and its use and distribution provided for to a certain extent; and yet in no instance has it been deemed necessary by the Legislature to define what particular version of the Bible is alluded to in those statutes. Your committee therefore deem it fair to infer that the Legislature alluded to that which is in general use in this state and country, and which was unquestionably that version which was published under the direction of King James, and sometimes called the Protestant version, to distinguish it from that which is exclusively used by the Roman Catholics, and which is commonly known as the Doway Bible.

That the latter version was not intended by the Legislature is most manifest, because it has a very limited circulation in this state, and probably had never been seen or heard of by a large proportion of those who composed the Legislature at any period of our history. And on examining that version, your committee find that it is accompanied with numerous comments and notes illustrating and enforcing the peculiar doctrines and tenets of the Roman Catholic Church, and is so far at least decidedly sectarian in its character, and clearly within the prohibitory clause of the Act: and it is a well known fact that no edition of that Bible is permitted to be published unless accompanied by notes furnished by the authorities of the Church. Believing, therefore that the Legislature intended to permit the use of some version of the Bible in our common schools, and that the Doway Bible could not have been the one contemplated, the inference seems to be irresistible that they intended that which is usually known as the Protestant Bible, which is published without note or comment, and is in general use in this state. Your committee have therefore come to the conclusion that the Protestant version of the Bible is not "sectarian" within the meaning of the Act of 1842, and was not intended to be thereby excluded from our common schools.

The second point for consideration is whether independent of the views and intentions of the Legislature in passing the act of 1842, it is expedient to exclude the Bible from our common schools.

Supposing the Bible and all books illustrating its doctrines and precepts excluded from our schools, your committee do not see how in regard to many departments of knowledge its place is to be supplied, by what other book will you instruct the infant mind as to the origin and formation of the universal world? as to the causes which have produced the present appearance and geological condition of the earth which we inhabit? Nay, how other wise will the Israelitish trustee, who has signed the report under consideration, account for the origin and present condition of his own

peculiar race? Indeed, it may be safely asserted that neither the geologist, nor the astronomer, nor the naturalist, nor the historian, can effectually and satisfactorily teach all that pertains to his peculiar department, without a resort to the revealed word of God. Banish from your schools the Bible, and all the books written under its influence and illustrating its precepts, and you cannot make up the necessary assortment for a well organized school, much less establish an effective discipline for its management.

And in a system of public instruction, it must be remembered that the object is not merely to cultivate the intellect, but to elevate and improve the moral character; and in a form of Government like ours, this consideration is of infinite importance, insomuch as its very existence and duration depend upon the virtue of the people. And as an instrument of moral cultivation it may be fearlessly asserted that no other book can be put in comparison with the Bible; and no system of morals has ever been formed independent of it, that did not contain the most glaring inconsistencies and defects. "When the obligations of morality are taught, says a distinguished writer, let the sanctions of Christianity never be forgotten; by which it will be shown that they give strength and lustre to each other; religion will appear to be the voice of reason, and morality will be the will of God."

Indeed it seems to be now a well established political axiom that no free government has any durable basis which is not sustained by those moral obligations that derive their force from the principles of Christianity.

Judge Story in his book on constitutional law, already referred to, well observes, that the promulgation of the great Doctrines of religion, the being and attributes and providence of one Almighty God, the responsibility to Him for all our actions, founded upon moral freedom and accountability—a future state of rewards and punishments—can never be matters of indifference in any well ordered community. It is indeed difficult, says he, to conceive how any civilized society can well exist without them.

As illustrative of this position, he might have referred to the example of France previous to her revolution—and you see her infidel philosophers preparing a system of education without religion—the design of which was, says Mr. Burke, to abolish the Christian religion under all its forms, whenever the minds of men were prepared for it.—"These enthusiasts, says he do not scruple to avow their opinion that a state can subsist without any religion, better than with one; and that they were able to supply the place with any good which might be in it by a project of their own; namely by a sort of education founded in a knowledge of the physical wants of man, progressively carried on to an enlightened self-interest, which they said, when well understood, would identify with an interest more enlarged and public; this system they called a civic education."

Well, the experiment was made. The Bible and every book inculca-

ting its principles were banished from all their institutions for public instruction, and what was the result? "Religion and its ministers were brought into contempt"—the temples erected for the worship of Almighty God were closed—[or only opened for the entrance of the goddess of reason*] the passions of men were let loose—the social ties dissolved, the domestic affections stifled—the foundations of civic society broken up—and a scene of horror ensued which no man can look back to, even at this distant time, without shuddering at the depravity to which human nature, uninfluenced by religion may reach.

This false system of education was the introduction to what was called the "French Philosophy," the character and tendency of which may be learned from the confession of one of its votaries, "I have consulted," says Rousseau, "our philosophers, I have perused their books, I have examined their several opinions, I have found them all proud, positive and dogmatising even in their pretended scepticism; knowing every thing, proving nothing, and ridiculing one another; and this is the only point in which they concur, and in which they are right. Where is the philosopher who for his own glory would not willingly deceive the whole human race? Where is he who in the secret of his heart proposes any other object than his own distinction? The great thing for him is to think differently from other people; under pretence of being themselves the only people enlightened, they imperiously subject us to their magisterial decisions; and would fain palm upon us for the true causes of things, the unintelligible systems they have erected in their own heads. * While they overturn, destroy and trample under foot all that mankind reveres—snatch from the afflicted the only comfort left them in misery—from the rich and great the only curb that can restrain their passions—tear from the heart all remorse of vice, all hopes of virtue, they still boast themselves the benefactors of mankind."

Such is the history of the experiment made in France of what was called "a civic education," uncontrolled and uninfluenced by any religious sentiment or principle—and it would be surprising indeed, if at this enlightened era there should be any advocates for introducing it here

But it may be said, admitting the principle that the maintenance of religion is necessary, it should be left to parental discretion at home—and there is no necessity for making it a part of public school education. This position your committee consider entirely fallacious. Among the arguments used in our Legislature for appropriating so large an amount of the public money toward the support of public schools, was this—that education was essential to the public welfare, and that if the Government did not provide for it, individuals would in too many instances entirely neglect it, even in respect to their own children.

The same argument is applicable on the present occasion. If the in-

* Alison's His. of Eu. ch. 10 to 324.

culcation of religious principle is essential to the well-being of the state, the state must itself look to it, and if not attended to in our common schools, to a very great extent it would not be attended to at all. And even those parents who should be disposed to inculcate religious principle at home, would find their efforts greatly impeded by the prejudice created in the minds of their children against the Bible by its formal exclusion from the schools to which they daily resort ; and it would be very difficult for the parent to convince the child of the vital importance of that which was expressly repudiated by public authority.

In whatever light therefore we may view this subject, whether as philanthropists, as patriots or as Christians, your committee are persuaded that it is vastly important that the Bible should be retained in our common schools, and that by excluding it we should justly incur the charge of a gross dereliction of the duty we owe to ourselves, to our children, and to our country.

Your committee therefore recommend the passage of the resolutions appended to this report.

G. CLARK, Chairman.

M. SPENCER,

JACOB AIMS.

The committee to whom was referred a report of the trustees of the Fourth Ward, objecting to certain books as "sectarian"—having made their report. Thereupon

Resolved, That in the opinion of this board, there are no well founded objections to the books mentioned in the said report of the said trustees of the Fourth Ward.

Resolved, That the Bible without note or comment is not "sectarian" within the meaning of the act of 1842, and the use thereof in our common schools was not intended to be prohibited by that or any subsequent act.